

REMARKS

I. Introduction

Claims 1, 4-6, 8-10 and 12-17 are now pending in the present application, with claims 1 and 8 having been amended herein. Applicants respectfully request reconsideration of the present application in view of this response.

It is believed that this Amendment does not raise new issues that would require further consideration and/or search, and this Amendment also does not raise the issue of new matter. It is also believed and respectfully submitted that this Amendment places the application in condition for allowance and/or in better form for appeal by materially reducing or simplifying the issues for appeal. Entry of the foregoing amendments to claims 1 and 8 is therefore requested.

Claims 1, 4-6, 8-10, 12, 13 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,465,618 ("Yasui et al.") in view of U.S. Patent 4,345,465 ("Gruner et al."). Applicants respectfully submit that the rejection should be withdrawn for the following reasons.

The Examiner, while implicitly acknowledging that the polymer taught by Gruner et al. reference is not a "partially fluorinated polymer" recited in independent claim 1, the Examiner has indicated that the polymer taught by Gruner et al. reference is a "polymeric fluorocarbon resin" that is also recited in independent claim 1. In order to expedite the prosecution of the pending claims, Applicants have amended claim 1 to delete "partially fluorinated polymers" from the recited Markush group. Since the Examiner has acknowledged that Gruner et al. reference doesn't teach a "partially

fluorinated polymer,” and since Yasui et al. reference clearly doesn’t teach a “partially fluorinated polymer,” even if one assumes for the sake of argument that there would have been some motivation to combine the teachings of Yasui et al. and Gruner et al. references, the use of ***partially fluorinated polymers*** as recited in claim 1 would not have been obvious. For at least this reason, claim 1 and its dependent claims 4-6, 8-10, 12, 13 and 17 are not rendered obvious by the combination of Yasui et al. and Gruner et al. references.

Claims 1, 4-6, 8-10 and 12-17 have been finally rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 4,606,952 ("Sugimoto et al.") in view of U.S. Patent 5,465,618 ("Yasui et al.") and U.S. Patent 4,345,475 ("Gruner et al.").

As previously mentioned above, the combined teachings of Yasui et al. and Gruner et al. references would not have taught or suggested the use of ***partially fluorinated polymers*** as recited in claim 1. Furthermore, the Examiner concedes that Sugimoto et al. reference does not teach “the presence of a sensor element as recited in claim 1.” Accordingly, even if one combined the teachings of Sugimoto et al., Yasui et al. and Gruner et al. references, the use of ***partially fluorinated polymers*** as recited in claim 1 would not have been obvious. For at least this reason, claim 1 and its dependent claims 4-6, 8-10, and 12-17 are not rendered obvious by the combination of Sugimoto et al., Yasui et al. and Gruner et al. references.

Appl. No. 09/416,715
Reply to Office action of October 20, 2003

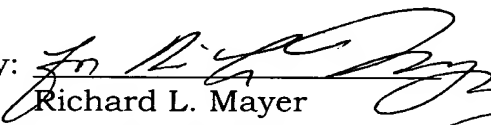
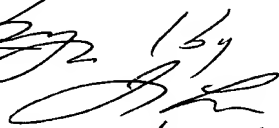
CONCLUSION

All issues having been addressed, it is believed that the present application is in condition for allowance. Prompt reconsideration and allowance of the present application are respectfully requested.

Respectfully submitted,

KENYON & KENYON

Dated: 1/20/04

By:  (by 
Richard L. Mayer
Reg. No. 22,490
One Broadway
New York, New York 10004
(212) 425-7200
12. no. 36,197)

CUSTOMER NO. 26646
PATENT & TRADEMARK OFFICE